



05-13-03

RCE/1609

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/589,730
	Filing Date	06/08/2000
	First Named Inventor	KENISON, Dale C.
	Art Unit	1616
	Examiner Name	LEVY, Neil S.
	Attorney Docket No.	70021220.0031

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on ____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____
- iii. ☐ Other ____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Petition for Extension of Time

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other ____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-3140
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other All fees, including extension fees, required in this application
- b. ☐ The enclosed check in the amount of \$ ____ covers the total claim fee and other applicable fees.
- c. ☒ Payment by credit card (Form PTO-2038 is enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF ATTORNEY	
Correspondence Address: <input checked="" type="checkbox"/> Customer No. 26263	<i>Lara Dickey Lewis</i>
Dated: <u>05-12-2003</u>	Lara Dickey Lewis, Reg. No. 48,161

05/14/2003 MAHME1 00000088 09589730

01 FC:2801
02 FC:2253375.00 OP
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**Certificate of Mailing by EXPRESS MAIL
under 37 CFR 1.10**

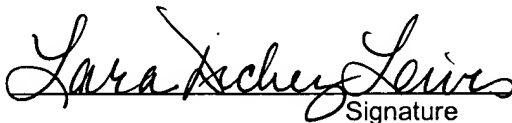
I hereby certify that the following documents:

**RCE Transmittal (1 pg); Petition for Extension of Time Under 37 CFR 1.136(a)
(1 pg); Credit Card Payment Form for the amount of \$840.00 (1 pg.);
Amendment (7 pgs); and return postcard**

are being deposited with the United States Postal as "Express Mail Post Office to
Addressee" and addressed to:

**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

On May 12, 2003
Date

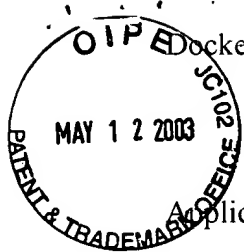

Signature

Lara Dickey Lewis
Typed or printed name of person signing Certificate

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certificate must identify each submitted paper.

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Docket No. 70021220.0031

Serial No. 09/589,730

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

KENISON, DALE C., et al.

Group Art Unit No. 1616

Application No.: 09/589,730

Examiner: Levy, Neil S.

Filing Date: June 8, 2000

Title: GROWTH PROMOTING
PHARMACEUTICAL IMPLANT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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P. Tuck
16/B
5/27/03

AMENDMENT

Responsive to the Office Action dated November 12, 2002, Applicant respectfully requests entry of the accompanying Request for Continued Examination and the following amendment:

In the Claims:

Please cancel Claims 1-4, 10-12, 33-40, and 48.

Please add the following new Claims 49-64:

49. (New) A bio-absorbable and bio-compatible implant for placement under the skin of an animal comprising:

at least one discrete, solid pellet having from about 5-400 mg of a growth promoting agent wherein said growth promoting agent is selected from the group consisting of trenbolone acetate, estradiol, estradiol benzoate, and combinations thereof;

at least one discrete, solid pellet having from about 5-1500 mg of a supplemental agent wherein said supplemental agent is selected from the group consisting of tylosin, tylosin tartrate, melengesterol acetate, and combinations thereof; and

wherein said agents combine to promote enhanced growth in an animal.

B